

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DEXTER JOHNSON,

PETITIONER

v.

No. 4:17CV117-DMB-JMV

WARDEN TIMOTHY OUTLAW, ET AL.

RESPONDENTS

**ORDER FOR PETITIONER TO PROVIDE DOCUMENTATION
REGARDING WHEN HE PRESENTED HIS NOTICE OF APPEAL
TO PRISON OFFICIALS FOR MAILING**

This matter comes before the court on remand from the Fifth Circuit Court of Appeals for a determination of the timeliness of the petitioner's Notice of Appeal. The final day for the petitioner to file a timely Notice of Appeal was December 30, 2020. His *pro se* Notice of Appeal is dated December 14, 2020, but it is stamped filed on January 8, 2021. A prisoner's *pro se* notice of appeal is timely filed if deposited in the institution's internal mail system on or before the last day for filing. *See* Fed. R. App. P. 4(c)(1).

The petitioner is **ORDERED** to file with the court documentation regarding the date he presented his Notice of Appeal to prison officials for mailing. The deadline for filing such documentation is 21 days from the date of this order.

SO ORDERED, this, the 9th day of March, 2021.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE